NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Hazardous Waste Management Program
Standardized Permitting and Corrective Action Branch
700 Heinz Ave, Suite 200
Berkeley, CA 94710

Project Title: Closure Plan Approval and Closure Certification Acceptance of the Bulk Container Storage Unit at the CononcoPhillips Company, San Francisco Refinery

Project Location – Specific: 1380 San Pablo Ave

Project Location – City: Rodeo **Project Location – County:** Contra Costa

Description of Project:

The Department of Toxic Substances Control has accepted a closure certification report and approved a closure plan that documents closure activities at the Bulk Container Storage Unit (BCSU) of the ConnocoPhillips Refinery Facility. As described below, the Human Health Risk Assessment for the soils impacted by the BCSU activities indicated a risk below 1 in 1,000,000 for human exposure to chemicals present in the soil. The Regional Water Quality Control Board (RWQCB) is lead agency for site-wide cleanup requirements unrelated to the BCSU unit at ConocoPhillips, in accordance with Senate Bill 1082.

Background:

The BCSU is an area that was used by ConocoPhillips to store Resource Conservation Recovery Act (RCRA) and California regulated (Non-RCRA) hazardous wastes. The storage of hazardous wastes up to one year was authorized under an Interim Status Document effective April 6, 1981. ConocoPhillips decided to close the BCSU and operate under generator status, i.e, storage up to 90-days maximum. The closure of the BCSU began with the submittal of a Closure Plan dated April 2003. The Closure Plan was ultimately finalized in accordance with DTSC comments. On December 11, 2003 DTSC approved the Closure Plan with conditions. The Closure Plan was implemented in two phases. Phase I consisted of decontamination of equipment, and subsurface sampling and analysis.

Phase 1 closure activities included:

- Disposal of waste formerly stored at the BCSU, which was transported off-site for treatment and disposal
- Decontaminating the BCSU surfaces, equipment, and structures
- Collecting confirmation samples from the decontaminated BCSU surfaces, equipment, and structures
- Collecting samples of soil, groundwater, and soil vapor from the BCSU subsurface

Phase II consisted of development and approval of risk based closure performance standards. All closure decontamination and subsurface sampling activities were completed by July 14, 2004.

The BCSU is located along the southern edge of the refinery adjacent to the area known as the Lower Tank Farm. The Lower Tank Farm was initially developed and used since the 1950's. The Lower Tank Farm was developed through grading and filling of an originally north-sloped natural surface that is thought to have included several small hills. This Lower Tank Farm Area is known to include a former landfill site known as Inactive Waste Site 6C (IWS-6C). A portion of the IWS-6C is below the BCSU (approximately 34% in the south portion, see figure 1). The IWS-6C was identified in 1994 during subsurface investigations by ConocoPhillips in accordance with the Regional Water Quality Control Board (RWQCB) site-wide cleanup

requirements. The part of the IWS-6C that is under part of the BCSU will be deferred to the RWQCB since the RWQCB is the lead agency for RCRA Corrective Action for the entire facility of ConocoPhillips and maintains this jurisdiction under order R2-2005-0026. The hazardous constituents of concern in the IWS-6C are different from those that were managed in the BCSU.

The decontamination of the BCSU was performed in June 2004. The process included an initial sweep of the asphalt paved areas by a maintenance vehicle followed by a thorough pressure washing of all areas by ONYX Industrial Services, Benicia California. The pressure washing process was conducted using mechanical scrubbing units that circulated a solution of tap water and industrial detergent (d-Limonene solution) over the exposed surfaces. This was followed by manual rinsing with firewater. Wash and rinse water was contained using sandbags and the storm water collection system. Wash and rinse water was collected by the use of vacuum trucks and squeegees, and then pumped into a 20,000 gallon storage tank.

Project Activities:

Post-decontamination samples of BCSU surfaces, equipment, and structures were collected and chemically tested. Samples included 31 asphalt chip samples, 20 concrete chip samples, and 21 wipe samples. In addition, 38 soil samples, 2 ground water samples, and 4 soil vapor samples where collected to determine if there had been a releases from the unit to the subsurface.

The results of asphalt chip samples indicate that the concentrations for metals are consistent with those detected in background samples and had not been impacted by the chemicals that would have been sourced from wastes handled at the BCSU. The results concrete chip samples indicated that concentrations were consistent or lower than those noted in the background samples.

Soil samples from the area beneath the BCSU structures that are not part of IWS-6C, contained relatively low concentrations of Total Petroleum Hydrocarbons(TPH), no detected Volatile Organic Compounds (VOC's), and low levels of several Poly-Aromatic Hydrocarbons (PAH's) in the 200 to 400 µg/kg range. Metal levels in the soils were at background levels. Ground water samples indicated that groundwater beneath the BCSU had not been impacted by BCSU operations.

A Human Health Risk Assessment (HHRA) was performed to evaluate potential human health risks associated with human exposures to these chemicals present in soil. The specific objectives of this HHRA were to estimate potential cancer risks and non-cancer hazards for human receptors that might be exposed to impacted media. The HHRA evaluated two scenarios. One included the contamination due to the IWS-6C and the other scenario excluded the soil samples results taken from the IWS-6C. The HHRA for the soils impacted by the BCSU activities indicated a risk below 1 in 1,000,000 for human exposure to chemicals present in the soil.

The additional theoretical risk associated with the soil samples that included contamination associated with the IWS-6C was greater than 1 in 1,000,000. The Regional Water Quality Control Board (RWQCB) is the lead agency for RCRA Corrective Action at this Facility. The RWQCB has issued a Water Discharge Requirement (WDR) order R2-2005-0026 which is currently active for the whole ConocoPhillips facility. The order covers the area under part of the BCSU since it is part of the IWS-6C. Please see Figure 1 which is a plot plan that shows the portion of the BCSU that is underlain with part of IWS-6C.

DTSC accepted the closure certification of the BCSU to residential cleanup standards and concurred with separating the remediation of IWS-6C from the closure of the BCSU. This separation is based upon the following facts:

1. The overlap of the BCSU and IWS-6C is limited to a portion of the site. The remainder of the BCSU does not overlie IWS-6C waste material and does not show any constituents managed in the BCSU.

2. The compounds in the soil underlying the BCSU and in the waste deposits in IWS-6C soils are characteristically different given that (1) the detections of chemicals in the IWS-6C wastes are

typically 10 to 100 times larger than the BCSU and (2) the IWS-6C waste in characterized by large detections of multiple PAHs and distinct layers of petroleum coke and coke conglomerations which is not the case for BCSU sub-soils.

3. Cleanup of IWS-6C under the regulatory oversight of the RWQCB in accordance with their Waste Discharge Requirements Order No. R2-2005-0026. The RWQCB is lead agency for sitewide Corrective Action at ConocoPhillips in accordance with Senate Bill 1082.

Name of Public Agency Approving Project: Department of Toxic Substances Control, California Environmental Protection Agency

Name of Person or Agency Carrying Out Project: ConocoPhillips Company - Stephan Rosen

Exempt Status: *(check one)*

☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(A));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption. State type and section number:
☐ Statutory Exemptions. State code number:
☒ General Rule (Sec. 15061(b)(3))

Exemption Title: With Certainty, No Posibility of a Significant Environmental Effect.

Reasons Why Project is Exempt:

The Closure of the BCSU will not result in a significant environmental effect because:

- The closure of the BCSU will not violate any water quality standards or water discharge requirements and groundwater monitoring will continue under the RWQCB jurisdiction. The BCSU report for closure concluded that the activities of the BCSU did not have any impact to the groundwater under the unit. The groundwater gradient allows ConocoPhillips to capture and process all ground water impacted by IWS-6C through their water treatment unit. ConocoPhillips does not make use of groundwater

- The closure of the BCSU as a permitted RCRA unit and continued operations under generator status will not increase the hazards due to the transportation of hazardous waste since all safety precautions to protect human health and the environment will continue to be practiced. The BCSU is equipped with a secondary containment system that consists of 6 inch curbs, catch basins, and drain trenches. The BSCU is also sloped engineered to prevent accidental spill from exiting the BCSU.

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Lead Agency Contact Person	Phone #

DTSC Branch Chief Signature	Date

Mohinder S. Sandhu, P.E.	Standardized Permitting and Corrective Action Branch Chief
DTSC Branch Chief Name	DTSC Branch Chief Title

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